

SEP 30 2014
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JAMES DARNEll FORD,) CASE NO. 7:13CV00482
Petitioner,)
v.)
DIRECTOR, VA. DEPT. OF CORR.,) FINAL ORDER
Respondent.)
By: Hon. Glen E. Conrad
Chief United States District Judge

This habeas corpus action is before the court upon the report and recommendation of the United States Magistrate Judge, prepared pursuant to 28 U.S.C. § 636(b). The magistrate judge has recommended that the respondent's motion to dismiss be granted and that the petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, be dismissed. The magistrate judge concludes that the petitioner's claims are without merit and recommends that the § 2254 petition be dismissed in its entirety. The fourteen days allotted under § 636(b) for parties to object to the findings and recommendations in the magistrate judge's report have expired, and neither party has filed objections. Accordingly, it is hereby

ADJUDGED AND ORDERED

that the report and recommendation of the magistrate judge shall be and hereby is ADOPTED in its entirety; the respondent's motion to dismiss (ECF No. 4) is GRANTED; the petition for a writ of habeas corpus under 28 U.S.C. § 2254 is DISMISSED; and this action is hereby stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

The Clerk is directed to send copies of this final order to the petitioner and counsel of record for the respondent.

ENTER: This 30th day of September, 2014.

John Connell

Chief United States District Judge